

Wiley Johnson, Mayor

*Council Members:*

Bob Jackson, Mayor Pro Tem  
Walter Bailey  
Aaron Brown  
Christine Czarnik  
Kima Garten-Schmidt  
William McIntosh



*Clerk-Treasurer*  
Lisa L. Wallace

*Town Attorney*  
G. Waring Parker

Town of Summerville  
**COUNCIL MEETING MINUTES**  
**JANUARY 13, 2016**

**ATTENDANCE**

Present: Mayor Wiley Johnson and Council members Walter Bailey, Aaron Brown, Christine Czarnik, Kima Garten-Schmidt, Bob Jackson and Bill McIntosh. Also present were Lisa Wallace, Interim Town Administrator, and G.W. Parker, Town Attorney. Members of the press and the public were duly notified of the meeting and were also present.

**CALL TO ORDER**

The regular monthly meeting of Summerville Town Council was called to order at 7:30 p.m. on Wednesday, January 13, 2016. Mayor Johnson called forward Pastor Rice of St. Luke's Lutheran Church to give the invocation which was followed by the Pledge of Allegiance.

**PRESENTATION: SWEET TEA HALF MARATHON COMMITTEE**

Kathy Hazel and other members of the Summerville Sweet Tea Half Marathon Planning Committee presented Dorchester County EMS and the Police and Fire Benevolent Fund with checks in the amount of \$10,000 and \$20,000, respectively. Mayor Johnson thanked the committee for their efforts in raising money for these worthy recipients.

**PUBLIC COMMENTS**

Mayor Johnson called for any comments from the public. Peter Gorman of S. Magnolia Street spoke against the proposed ordinances relating to the Mayor and Town Administrator. Janet Rosenzweig of Willis Lane also spoke against the proposed ordinances stating they were unnecessary. Tom Iorizzo of Renau Blvd. also spoke against the proposed ordinances stating the voters believed they were voting for a strong mayor. Joe Meehan of Pine Forrest subdivision read a portion of a guest opinion from the Summerville Journal Scene and spoke against the proposed ordinances. Kathy Kcuick of the Weatherstone subdivision asked Council to stop spending money on Michael Baker Engineering and reminded council of a letter from Representative Southard. Diana Barth of White Gables explained that elected officials set policy and the town administrator and employees implement those policies so people need to think about it in those simple terms. Linda Haynes-Whetsell of Atlantic Street said sidewalks are needed on Central Avenue and Parkwood where people are parking near a restaurant. She also reported that Shepard Street has rotting tree limbs falling on the road and that shrubbery is covering signs on Simmons and Shepard, Carolina and Central, Sumter and Gadsden and Bethel

Church on Main Street. She added that Parkwood Drive and Atlantic Street ditches need to be cleaned. She also asked why Briarwood Lane was closed and who paid for the paving. Thadius Kcuick of 127 Avonshire Drive in Weatherstone spoke in opposition of the proposed ordinances stating that the people want change and asked that council give the Mayor the chance to act as Mayor. Linda Jones of 586 Dellafield in Weatherstone praised Council for changing the finance committee meetings to evenings. She also spoke against the proposed ordinances and stated that Weatherstone does not want the 2 or 3 additional proposed entrances to their neighborhood. Mac Baughman, a lifelong resident, stated that the Bear Island Parkway was originally approved in 2002 and that the homeowners association documents show the Bear Island Parkway. Carolyn Gorman of S. Magnolia spoke about the powers and duties contained in the proposed ordinances adding they have been around with little substantive changes since 1948. Robbie Robbins of Knightsville spoke about the Bear Island Extension reporting that the road was included and approved as part of the original Centex development in 2002 and will be an asset for Summerville. Mike Murphree stated that every change to this road project adds more time and cost to the project and suggested a TIF (Tax Increment Financing) for those people who want the change. Thadius Kcuick reported that he had presented a petition with over 800 signatures of people who are opposed to the road and submitted a list of the benefits of the alternative Sheep Island route. Pearl Gonzales asked Council to table the Sheep Island/Bear Island Road project and consider how this project will affect the residents of Weatherstone. Sara Burrows of East Richardson Avenue said details matter even when dealing with larger issues. She added that recent changes in the polling places disenfranchised people and that she does not agree with proposed changes to the Mayor's powers. Brad Mallett congratulated newly elected and re-elected members and asked council members to think about the small business owner when making decisions. Homer Gonzales from the Weatherstone subdivision stated that he did not think the traffic issues of Summerville should become Weatherstone's problem. He added that the road will destroy the wetlands in Weatherstone. He also stated that the people voted for a Mayor with full powers. Kay Pruitt of 105 Dovetail Circle in Weatherstone stated that she is concerned about the safety of the children in their subdivision noting that they are crossing the roads every day. Adrian Kwist of 109 Reynolds Road congratulated the newly elected Mayor and council member and spoke against the proposed ordinances changing the Mayor's authority. He added that it will undermine the Mayor's authority and will continue to divide the town. William Harbeson of 403 W. 2<sup>nd</sup> South Street stated that everyone downtown is not for the hotel project. He also spoke about the road in the Weatherstone and said that the council needs to change the road. There being no further public comments, the Mayor declared that portion of the meeting closed.

#### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Mr. McIntosh made a motion, seconded by Mr. Brown, to approve the minutes of the December 9, 2015 council meeting as presented. Ms. Czarnik and Mayor Johnson recused themselves stating they were not on council during that meeting. The motion carried with Mr. Bailey, Ms. Garten-Schmidt, Mr. Jackson, Mr. Brown and Mr. McIntosh voting in favor of the motion with Ms. Czarnik and Mayor Johnson abstaining.

### **APPROVAL OF COUNCIL COMMITTEE REPORTS**

Mr. McIntosh made a motion, seconded by Mr. Jackson, to approve the January 11, 2016 Finance Committee Report and the January 6, 2015 Planning and Development Committee Report. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to approve the January 6, 2016 Parks and Recreation Committee Report as submitted. The motion carried unanimously.

### **PETITIONS**

Mr. Jackson made a motion, seconded by Mr. Brown, to accept the petition and have first reading of an ordinance to annex Dorchester County TMS#s 135-16-00-014, -015, & -016 located at 1625 Central Avenue, owned by Thomas Mizell currently zoned R4, Multifamily to be zoned B3, General Business. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Mr. Bailey, to accept the petition and have first reading of an ordinance to annex Dorchester County TMS# 146-13-04-001 located at 245 Judith Drive, owned by Lakes of Summerville, LLC currently zoned R2, Residential to be zoned PUD, Planned Unit Development, and to amend the existing PUD to include this parcel for use as a home owners' association common area with the proposed addition of an amenity boat storage facility. The motion carried unanimously.

### **PENDING BILLS AND RESOLUTIONS**

Mayor Johnson stated that prior to consideration of pending bills and resolutions, he wanted to share something that was brought to his attention. He stated that the motion to have first reading of the ordinance to amend Chapter 2, Article II of the Code of Laws of the Town of Summerville entitled Mayor and Council never received a second. He added that he is proposing that he appoint an ad hoc committee to review the town's ordinances. Mr. Bailey disagreed stating that the ordinance, as amended, was given a second and asked the Town Attorney to weigh in. Town Attorney Parker concurred with Mr. Bailey stating that the amended ordinance received a motion and a second. Mayor Johnson stated that it was not proper according to Robert's Rules of Order but council could choose to accept it. Mr. McIntosh reiterated that he made a motion to amend Mr. Bailey's motion and it received a second which took precedence and was voted on. Mr. McIntosh added that Mr. Bailey then restated the motion, which he seconded and does not see any argument that the motion did not receive a second. Mayor Johnson then stated that he had another objection reporting that the proposed ordinances have not been presented in final form referencing Section 5-7-270 of the state code. Town Attorney Parker did not see any problem with the ordinance being "redlined" but might come up with a different conclusion if given more time to consider the matter. Mr. Bailey made a motion, seconded by Mr. Jackson, to postpone the two pending ordinances until next month. This motion carried with Mr. Bailey, Ms. Garten-Schmidt, Mr. Brown, Mr. Jackson, Mr. McIntosh and Mayor Johnson voting in favor of the motion and Ms. Czarnik opposing. The motion carried.



### **INTRODUCTION OF NEW BILLS AND RESOLUTIONS**

Mr. Brown made a motion, seconded by Mr. Jackson, to introduce and have first reading of an ordinance to adopt a fee schedule for the Blackwell Sports Complex. The motion carried unanimously.

Ms. Garten-Schmidt made a motion, seconded by Mr. Bailey, to approve a Resolution authorizing signers of town checking accounts. The motion carried unanimously.

Mr. Jackson made a motion, seconded by Ms. Czarnik, to introduce and have first reading of an ordinance to provide for the issuance and sale of G.O. refunding bonds of 2016. During discussion, Mr. McIntosh stated that he would like to see the town take 1 to 3 million of its unrestricted fund balance to pay down the debt in addition to refinancing the debt. There was some discussion about whether that was the best option for the town and Mayor Johnson stated that over the next month the town will discuss this with the bond attorney. Mayor Johnson then called for the vote on the motion to have first reading of the ordinance to provide for the issuance and sale of G.O. refunding bonds of 2016 and the motion carried unanimously.

Mr. Brown made a motion, seconded by Mr. Jackson, to introduce and have first reading of an ordinance to amend Chapter 2, Section 2-92 entitled "Date and hour of regular council meetings" which will move the Council meetings from 7:30 p.m. to 6:30 p.m. Mr. McIntosh pointed out that council also decided to change the date and time of the finance committee meetings to the first Wednesday of the month at 6:30 p.m. but that does not require an ordinance amendment. Mayor Johnson added that standing committee meeting will continue to be held on the first Wednesday of the month and the times will be posted if any meetings are scheduled for the month. Mayor Johnson then called for the vote on the ordinance to change the time of the council meetings from 7:30 p.m. to 6:30 p.m. and the motion carried unanimously.

### **MISCELLANEOUS**

Mayor Johnson reported that the next item on the agenda was the election of Mayor Pro-Tem and asked for any nominations. Mr. Bailey nominated Bob Jackson and Mr. McIntosh seconded that nomination. Ms. Czarnik nominated Aaron Brown and Mr. Brown seconded that nomination. Mayor Johnson called for the vote on the nomination of Mr. Jackson as Mayor Pro-Tem. Mr. Bailey, Ms. Garten-Schmidt, Mr. Jackson and Mr. McIntosh voted in favor of the nomination. Mayor Johnson then called for the vote on the nomination of Mr. Brown as Mayor Pro-Tem. Ms. Czarnik, Mr. Brown and Mayor Johnson voted in favor of the nomination. Mayor Johnson congratulated Mr. Jackson for being elected as Mayor Pro-Tem.

Mayor Johnson reported that the next item on the agenda was the appointment of an ad hoc committee to review town ordinances. Ms. Garten-Schmidt suggested that the town consider utilizing the Municipal Association of SC to assist in reviewing the ordinances. Mr. Jackson concurred. Mr. Brown stated that he felt that the ad hoc committee was a good idea and the committee could work with the Municipal Association. Mayor

Johnson asked Mr. Brown to head up the ad hoc committee and asked councilmember Czarnik and Mayor Pro Tem Jackson to also serve on the committee.

Mr. Bailey made a motion, seconded by Mr. Jackson, to authorize a purchase order to Kubota in the amount of \$68,984 for a track loader on state contract to be paid from budgeted stormwater capital funds. The motion carried unanimously.

Mayor Johnson reported that the town had been given a briefing on the Bear Island/Sheep Island Road alternative and asked if council had any discussion on the matter. Ms. Czarnik stated that the level of service was better and there was less of an impact to wetlands using the alternative route. She added that sidewalks and a landscaped median may not be necessary which would help reduce the additional costs associated with the alternative route. After some discussion, Ms. Czarnik made a motion to suspend all operations with Baker International until the alternative route could be further explored. Mr. Brown seconded the motion. During discussion, Mr. McIntosh pointed out that there are many right-of-way acquisitions that have to be made no matter which route is ultimately approved. Ms. Czarnik stated her concern was continued acquisition of right of way for Bear Island Road. Mr. Bailey stated that he was concerned about slowing the project down and adversely affecting the other entities involved in the project. Mayor Johnson suggested council give him some time to meet with the other entities and further research the matter. Mr. McIntosh requested that council be prepared to take a final vote at either the February or March meeting and give some finality to this issue. Public Works Director Russ Cornette clarified that there are right-of-way acquisitions that need to be made no matter which route is taken and would like to proceed with permitting and right-of-way acquisition for that portion of the project. There were no objections to this. Mr. Brown read a letter from Representative Southard who represents Berkeley County and suggested the widening the existing Sheep Island Road rather than utilizing the proposed Bear Island route that may impact wetlands. Mayor Johnson said he hoped to have more information on this soon and certainly by next meeting and could call a special meeting if necessary. After discussion, Ms. Czarnik withdrew her motion.

Mayor Johnson announced that the next item on the agenda was the appointment of standing committees. Mr. Bailey objected stating that the ordinance says that the standing committees shall be appointed by the Mayor at the December meeting and the appointments are for one year unless there is a vacancy but deferred to Town Attorney Parker. Mayor Johnson asked if it makes sense for the outgoing Mayor to make these appointments adding that this is one of the reasons to have the ordinances reviewed and updated. Town Attorney Parker agreed with Mr. Bailey stating that the ordinance is clear and uses the words "shall be done in December" and does not know how to get around that until the ordinance is amended. Mr. McIntosh indicated that he would support a change to the ordinance that would not need to wait on the ad hoc committee.

**ADJOURN**

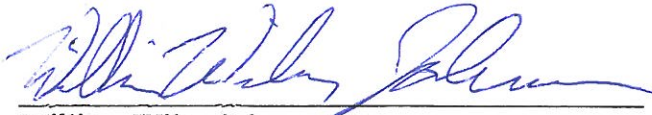
There being no further business, the meeting adjourned at 9:46 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa Wallace", written over a horizontal line.

Lisa Wallace, Interim Town Administrator,  
Director of Administrative Services and  
Clerk/Treasurer

APPROVED:

A handwritten signature in blue ink, appearing to read "William Wiley Johnson", written over a horizontal line.

William Wiley Johnson, Mayor